



US Army Corps
of Engineers
St Paul District

APPLICANT: Wisconsin
Department of
Transportation

Public Notice

ISSUED: 3 March 2004
EXPIRES: 2 April 2004

REFER TO: 04-01843-JHS

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge approximately 92,000 cubic yards of fill material into a total of 16.07 acres in wetlands adjacent to tributaries to Silver Creek and the Ahnapee River for construction of STH 57 to a 4-lane roadway.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: P.O. Box 28080
Green Bay, WI 54324-0080

CONTACT: P.F. O'Connor
P.O. Box 28080
944 Vanderperren Way
Green Bay, WI 54324-0080
(920) 492-5643

PROJECT LOCATION: The project site begins in the SE 1/4 SW 1/4 Sec.3, T. 26N, R. 24E. and ends in the NE 1/4 Sec. 29 T. 27N., R. 25E., Door County, Wisconsin. The approximate UTM coordinates are Zone 16; South terminus: North 4955164, East 454446; North terminus: North 4955151, East 454590.

DESCRIPTION OF PROJECT: This project is a part of the larger proposal to develop STH 57 as a four-lane divided highway with access management. This project would result in a four-lane controlled access facility with two 12-foot driving lanes in each direction and a 60-foot grass median. This 5-mile segment is on existing and new alignment. The project includes grading and placement of fill material for a four-lane roadway and the placement of structures at various waterways.

MITIGATION: A mitigation project is being developed at a 40-acre parcel located about 4 miles from the project area on Pine Road in the SE 1/4 SW 1/4 of Section 18, T. 26 N., R. 24 E. in Door County, Wisconsin. A combination of ditch plug and shallow scrape measures would be undertaken concurrent with project construction. A compensatory mitigation ratio of 1.5 to 1 will be utilized for the 16.07-acre wetland loss.

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QUANTITY, TYPE, AND AREA OF FILL: The project would result in placement of approximately 92,000 cubic yards of fill material in 16.07 acres at nine wetland sites, labeled # 33 through # 41, for construction of the roadbed.

VEGETATION IN AFFECTED AREA: Vegetation in the wetlands is typical of that found in wet meadow, scrub/shrub and wooded swamp wetlands associated with tributary systems in northeastern Wisconsin.

SOURCE OF FILL MATERIAL: Fill material would be obtained from either clean commercial or near-site borrow sources.

SURROUNDING LAND USE: Land uses along the roadway are agricultural activities, rural residential and a few scattered businesses.

DESCRIPTION OF STRUCTURE: Three new box culverts or extensions would be constructed at sites 35, 39 and Stone Road. Two 20-foot slab, span, structures would be constructed at site 36.

DESCRIPTION OF DREDGING OR EXCAVATION: Approximately 6,700 cubic yards of material would excavated from six wetland locations for roadside ditches.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The applicant would use erosion control methods such as silt fences, hay bales, sodding, ditch blocks, check dams and minimize the amount of land exposed at one time in accordance with TRANS 401.

3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, Suite 211, 211 North Broadway, Green Bay, WI 54303-2757.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Jerry Smith at the Green Bay office of the Corps, telephone number (920) 448-2824.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Door County is within the known or historic range of the following Federally-listed threatened (T) and endangered (E) species:

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<u>Species</u>	<u>Habitat</u>
Bald eagle (T)	Breeding
Pitcher's thistle (T)	Stabilized dunes and blowout areas
Dwarf lake iris (T)	Partially shaded sandy-gravelly soils on lakeshores
Hine's emerald dragonfly (E)	Calcareous streams and associated wetlands overlying dolomite bedrock

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This project comes under the regulatory jurisdiction of the Corps of Engineers because Silver Creek is tributary to the Ahnapee River (Algoma Harbor), a navigable water of the United States.

REGULATORY AUTHORITY: This application will be reviewed according to the provisions of Section 404 of the Clean Water Act. Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 Code of Federal Regulations 230).

6. WATER QUALITY CERTIFICATION.

This Public Notice has been sent to the Wisconsin Department of Natural Resources and is considered by the District Engineer to constitute valid notification to that agency for water quality certification.

A permit will not be granted until the Wisconsin Department of Natural Resources has issued Section 401 certification.

7. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service, the State Archaeologist, and the State Historic Preservation Officer to determine if there are known cultural resources which may be affected by the described work. Any unknown archaeological, scientific, or historical data could be lost or destroyed by the work described in the permit application. However, the latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area.

8. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

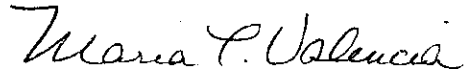
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

10. The Wisconsin Coastal Management Program (WCMP) in the Department of Administration is inviting public comment regarding this project. The WCMP may conduct a Federal consistency review to verify that the project will comply with State policies in Wisconsin's coastal zone. Further information may be obtained from the Federal Consistency Coordinator at: Wisconsin Coastal Management Program, P.O. Box 7868, Madison, WI 53707-7868; (608) 266-8234.

CEMVP-CO-R (04-01843-JHS)

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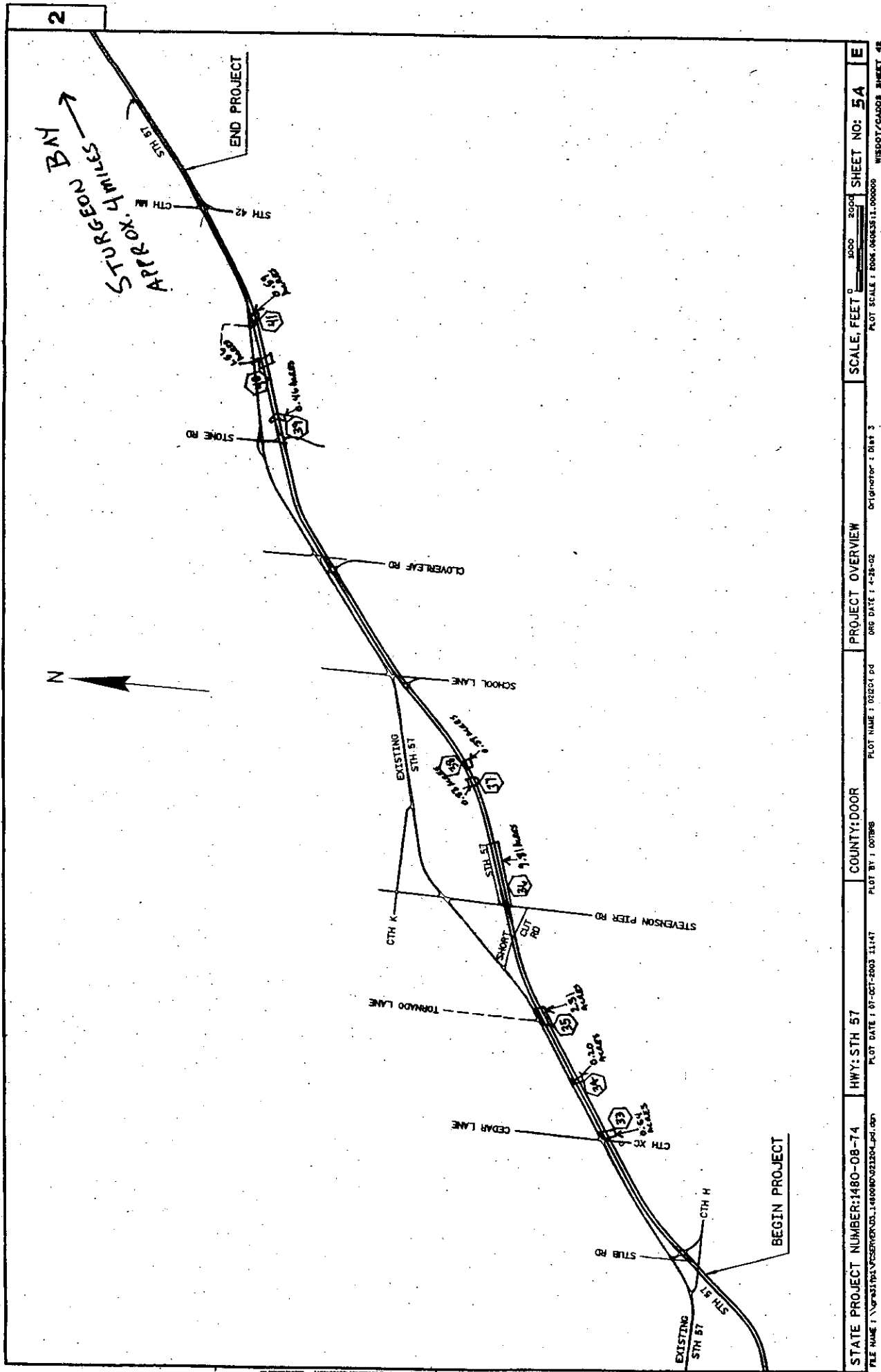
Any comments on whether or not this proposed project complies with the State enforceable policies should be received within 30 days by the Federal Consistency Coordinator.



Maria T. Valencia
Chief, Out-State Wisconsin Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



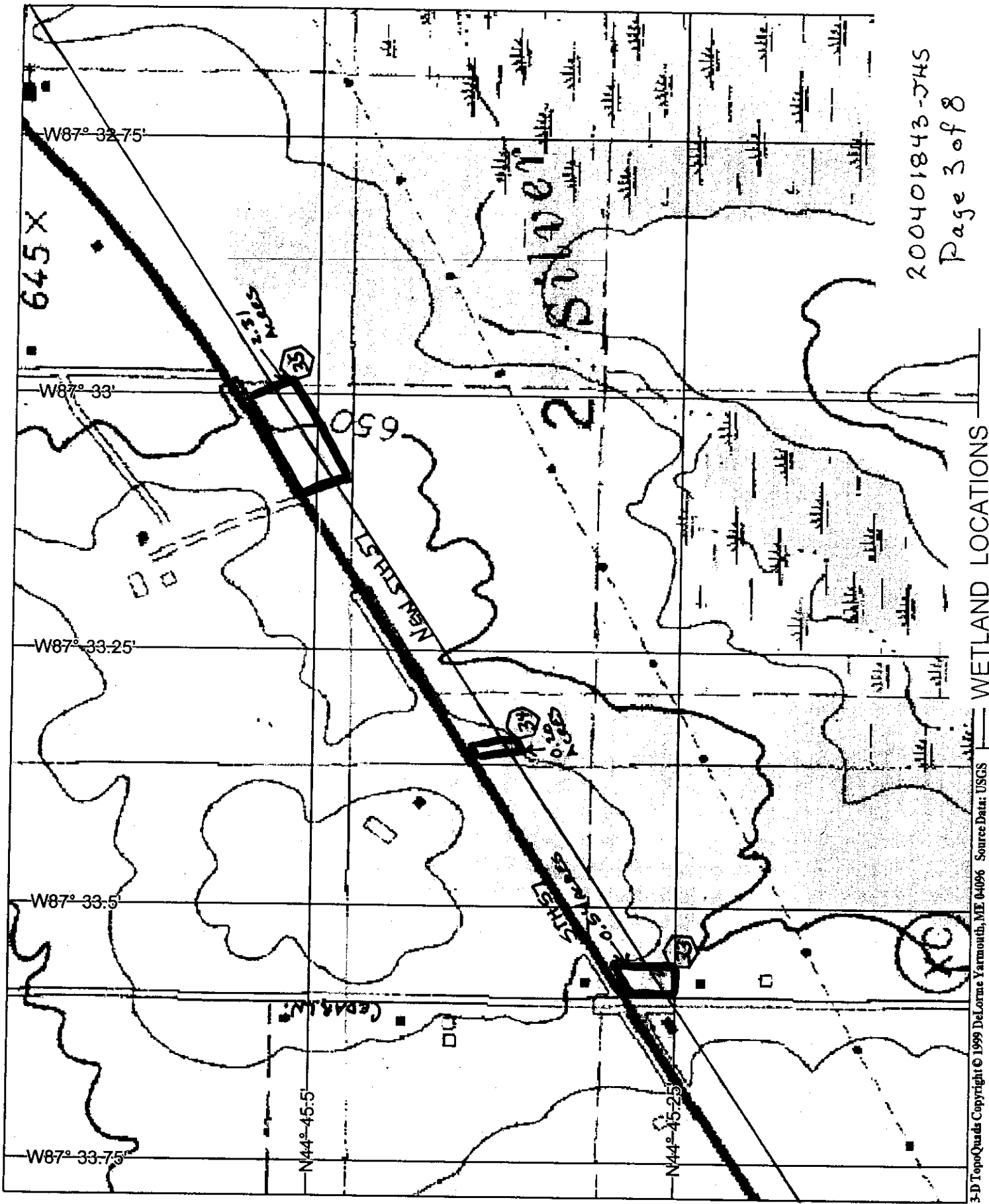
General Location

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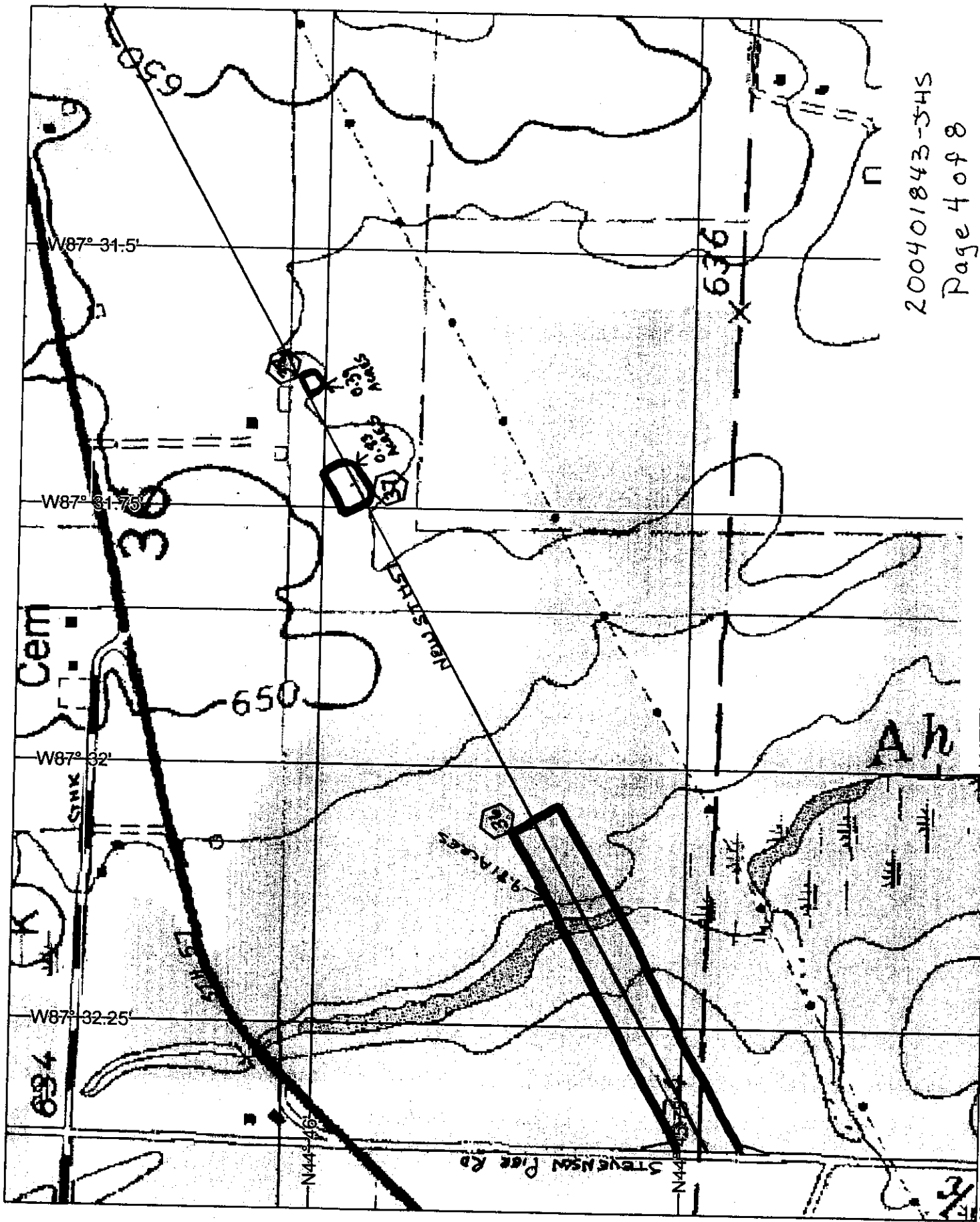
WETLAND INFORMATION

Attached sheet for Block 5. And Block 6.

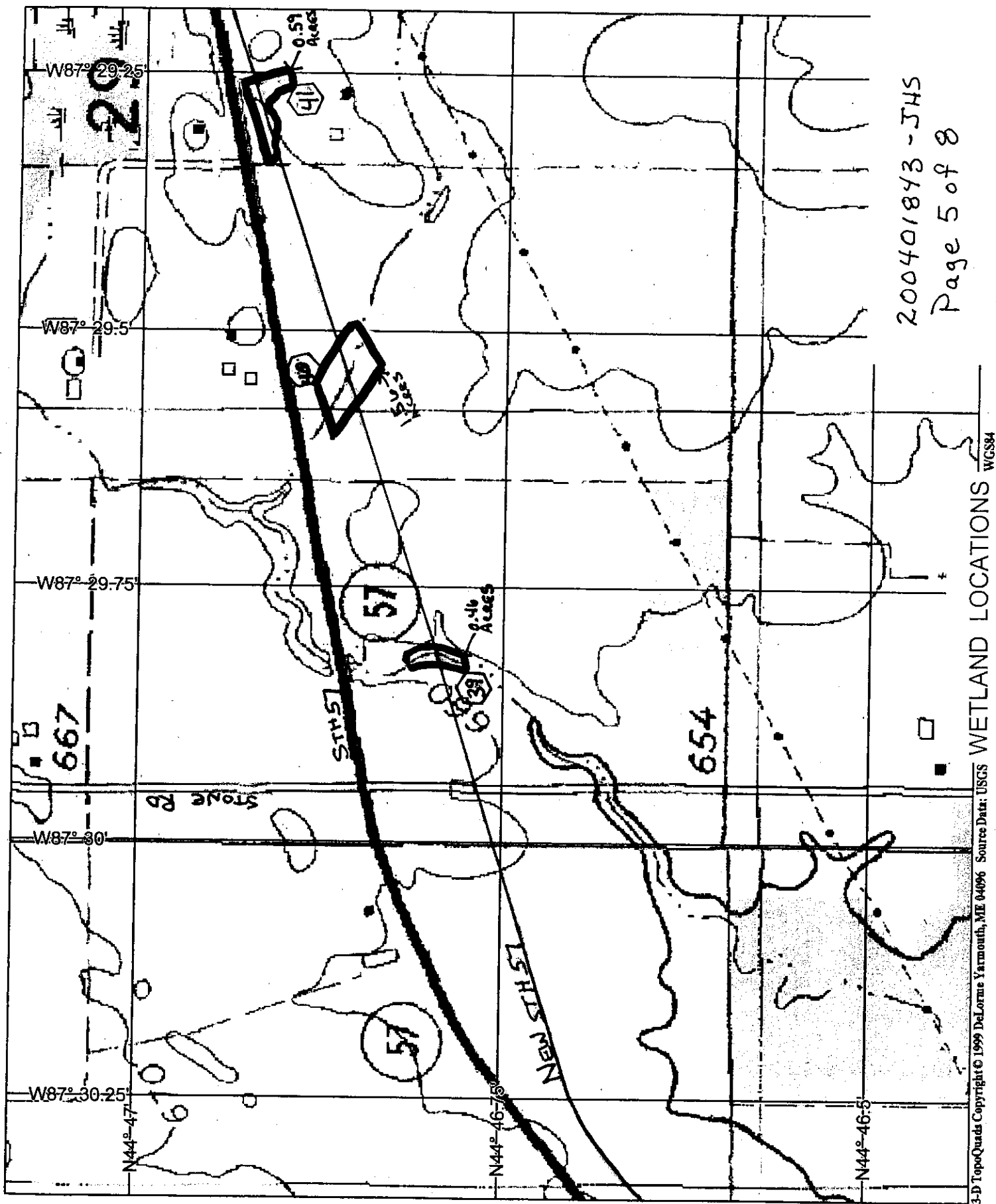
Site #	Fill cubic yards	Excavated cubic yards	Total Volume Cubic yards	S.F.	Acres	Type of Material Excav./Fill	Section/Township/North/Range/County
33	1,385	163	1,548	23,522	0.54	Namur variant / Omro	Town of Brussels NW 1/4 NW 1/4 SW 1/4 of Section 2 T.26 N. - R. 24 E. Door County
34	1,796	30	1,826	8,800	0.20	Emmet / Solona / Shallow Meadow	Town of Brussels SE 1/4 NW 1/4 of Section 2 T.26 N. - R. 24 E. Door County
35	29,013	0	29,013	100,624	2.31	Angelica / Solona	Town of Brussels SW 1/4 NW 1/4 NE 1/4 of Section 2 T.26 N. - R. 24 E. Door County
36	36,452	4,824	41,276	427,316	9.81	Bonduel variant / Cathro / Angelica / Omena / Wooded Swamp	Town of Gardner SW 1/4 SW 1/4 of Section 36 T.27 N. - R. 24 E. Door County
37	6,000	0	6,000	18,000	0.41	Yahara / Emmet / 50% Wet Meadow	Town of Gardner NW 1/4 SE 1/4 of Section 36 T.27 N. - R. 24 E. Door County
38	3,733	0	3,733	8,400	0.19	Yahara / Emmet / 50% Wet Meadow	Town of Gardner NW 1/4 SE 1/4 of Section 36 T.27 N. - R. 24 E. Door County
39	3,467	800	4,267	20,000	0.46	Fluvaquents	Town of Nasewaupsee SW 1/4 SW 1/4 of Section 29 T.27 N. - R. 25 E. Door County
40	5,387	747	6,134	68,000	1.56	Angelica / Emmet / Solona	Town of Nasewaupsee NE 1/4 SW 1/4 of Section 29 T.27 N. - R. 25 E. Door County
41	4,740	119	4,859	25,600	0.59	Emmet / Solona	Town of Nasewaupsee NW 1/4 SE 1/4 of Section 29 T.27 N. - R. 25 E. Door County
Total	91,973	6,683	98,656	700,262	16.07		



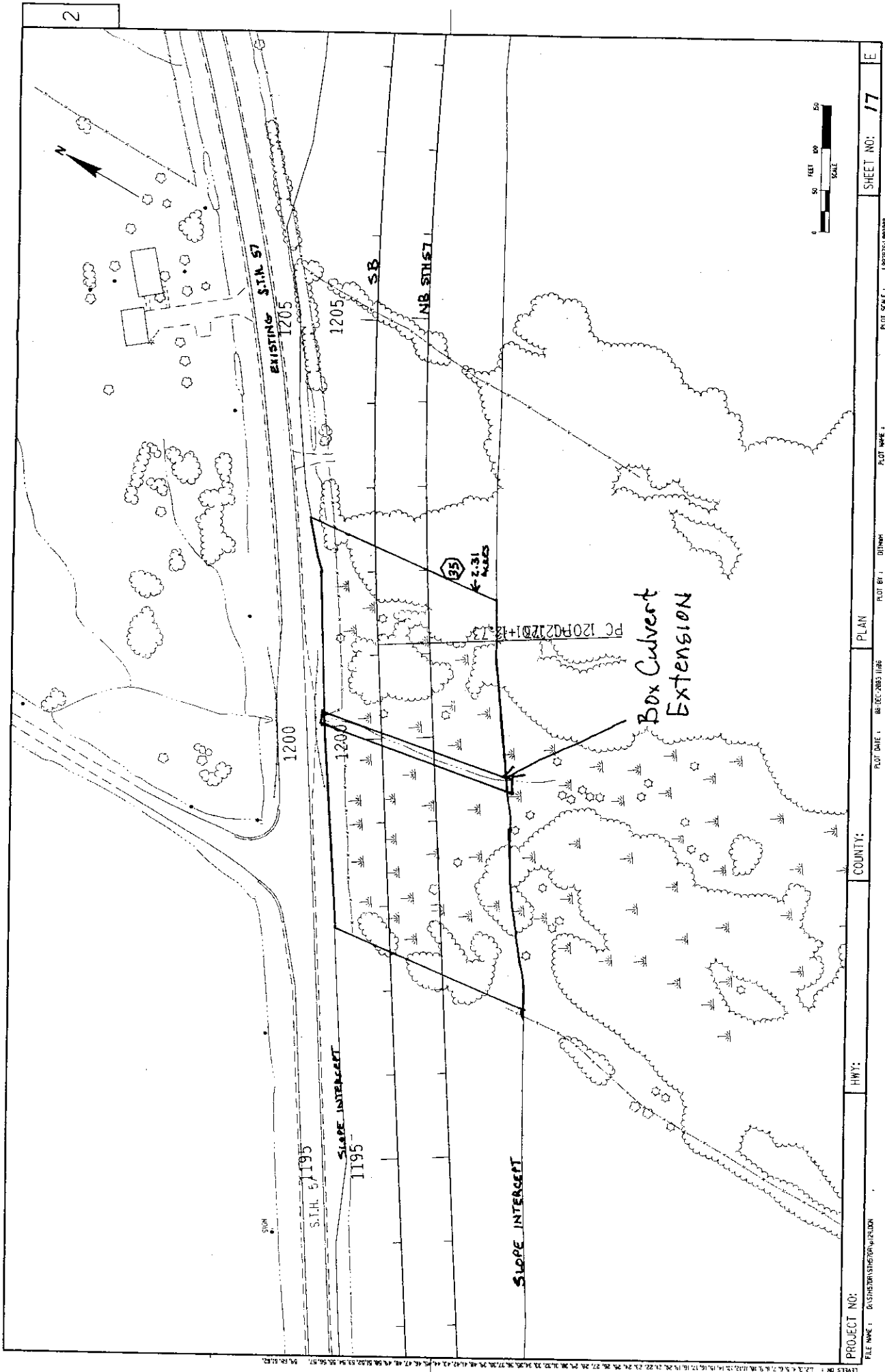
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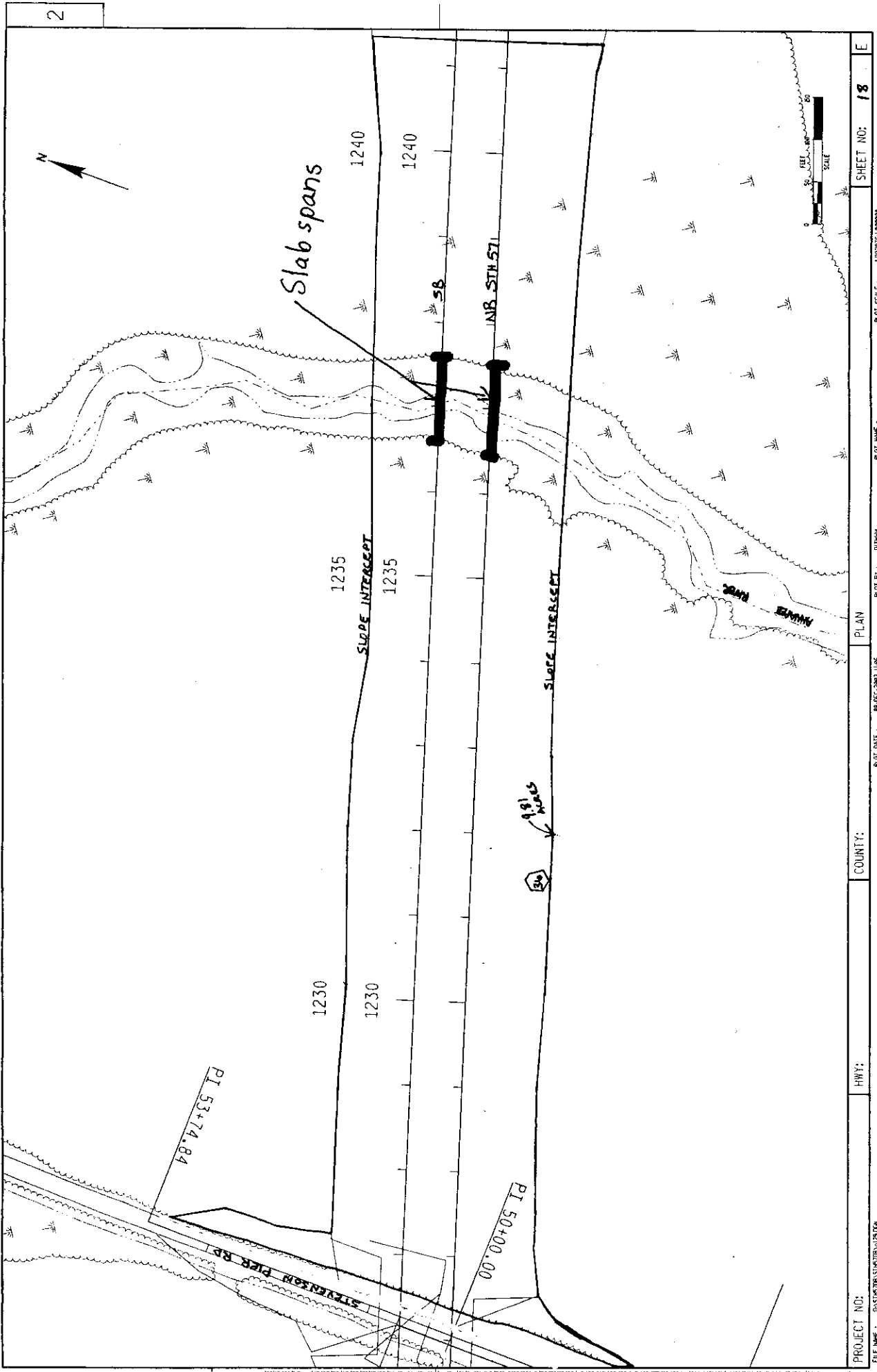
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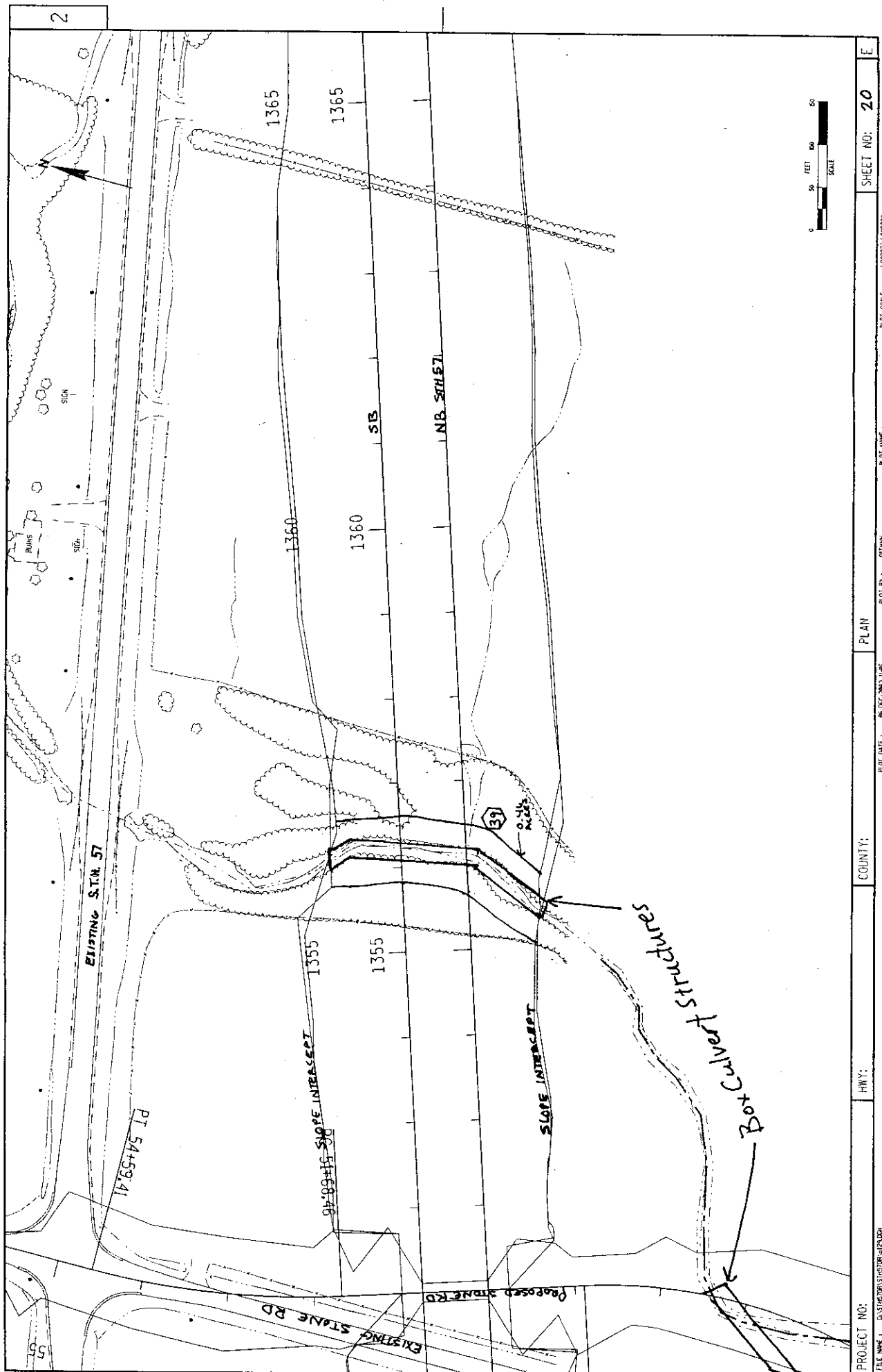
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DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
SIBLEY SQUARE AT MEARS PARK
190 5TH ST. EAST
ST. PAUL, MINNESOTA 55101-1638

OFFICIAL BUSINESS
REGULATORY BRANCH
CO-R

POSTMASTER: Please Post Until Notice Expires